

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
May 18, 2005**

The Board of Supervisors of Maricopa County, Arizona convened in Formal Session at 9:00 a.m., May 18, 2005, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max W. Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2, Fulton Brock, District 1; Andrew Kunasek, District 3, and Mary Rose Wilcox, District 5 (entered late). Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Manager; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

**INVOCATION**

Father Bill Wack delivered the invocation.

**PLEDGE OF ALLEGIANCE**

Bob Caravello, Protective Services Officer, led the assemblage in the Pledge of Allegiance.

~ Supervisor Wilcox entered the meeting ~

**PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS**

Chairman Wilson called for a public hearing on liquor license applications a) through f) as outlined below. No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Kunasek and seconded by Supervisor Wilcox to recommend approval of the following liquor license applications:

- a. Application filed by Randal Dauer for a Special Event Liquor License: (F23164) (SELL679)

Business Name: Speedworld R/C Flyers  
Location: 19421 W. Jomax Road, Wittmann, 85361  
Date/Time: May 21, 2005; 8:00 pm to midnight

- b. Application filed by Samuel Turrentine Crump, Sr. for a Special Event Liquor License: (F23164) (SELL680)

Business Name: Rotary Club of Anthem  
Location: 41703 N. Gavilan Peak Parkway, Anthem, 85086  
Date/Time: May 27, 2005; 5:00 pm to 9:00 pm

- c. Application filed by Michael Theodore Tsitirides for a Person-to-Person Transfer of a Series 7 Liquor License from Scott Jeffrey Simpson, Recreation Centers of Sun City West, Inc.: (LL6147)

Business Name: Jimichael's Strike Zone Eatery  
Location: 19603 RH Johnson Boulevard

(Clerk's Note: Staff identified correct address as **19803** RH Johnson Boulevard.)

- d. Application filed by Kim Kenneth Kwiatkowski for an Original Series 10 Liquor License: (LL6148)

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Business Name: Circle K #ANTHEM  
Location: NE corner of Parker Court and Daisy Mountain Drive  
(currently vacant land), Anthem, 85086

Because the location is vacant land, property does not meet Planning and Zoning requirements. Current zoning permits suggested use.

- e. Application filed by Vito Accardi for a Person-to-Person Transfer of a Series 7 Liquor License from BTB Food Services LLC, Florence's Ristorante & Pizzeria: (LL6149)

Business Name: Pazzo's Pizza  
Location: 7019 N. Litchfield Road, Glendale, 85307

- f. Application filed by Lauren Kay Merrett for an Original Series 10 Liquor License: (LL6150)

Business Name: Aguila Food Mart  
Location: 51245 W. Highway 60-70, Aguila, 85320

Motion carried by a majority vote (4-1) vote with Supervisors Stapley, Kunasek, Wilcox and Wilson voting "aye" and Supervisor Brock voting "nay."

**PUBLIC HEARING – FIREWORKS DISPLAY PERMIT**

Chairman Wilson called for a public hearing on this matter. No protests having been received and no speakers coming forth at the Chairman's call, pursuant to A.R.S. §36-1603, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve an application filed by Randy Reyman for a fireworks display permit: (ADM665-44)

Organization: Anthem  
Address: 41130 N. Freedom Way, Anthem  
Date: May 27, 2005

**ROAD DECLARED (ROAD FILE NO. A337)**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) that the following resolution be adopted: (C6405248B00)

**WHEREAS**, pursuant to A.R.S. §28-6701, on the 20<sup>th</sup> day of April, 2005, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

The South 30 feet of the North half, of the Northwest quarter and the North 30 feet of the South half, of the Northwest quarter of said Section 28, for Clarendon Avenue; together with,

The South 40 feet of the Northwest quarter and the North 40 feet of the southwest quarter of said

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Section 28, for Osborn Road; together with,

The South 30 feet of the North half of the Southwest quarter and the North 40 feet of the South half of the Southwest quarter of said Section 28, for Earll Drive; As described in docket 1623, Page 376; together with,

The South 25 feet of the North half of the North half of the Southwest quarter and the North 25 feet of the South half of the North half of the Southwest quarter of said Section 28, for Flower Street;

As described in docket 1828, Page 348; together with,

The West 30 feet of the West half of the Southwest quarter of the Southeast quarter of the Southwest quarter of said Section 28, Except the South 194.94 feet; As described in docket 14436, Page 79; together with,

That part of 193rd Avenue and 193rd Drive as shown in Spencer's Mountain Vista, recorded in Book 80 of Maps, Page 25 MCR.

Said roadways also known as: 193rd Avenue, from Thomas Road to Catalina Drive; 193rd Drive, from Thomas Road to Catalina Drive; Flower Street, from Jackrabbit Trail to 191st Avenue; Clarendon Avenue, from Jackrabbit Trail to 191st Avenue; Earll Drive, from Jackrabbit Trail to 191st Avenue; Osborn Road, from Jackrabbit Trial to 191st Avenue.

**WHEREAS**, the day and hour set by the Board for a public hearing on said petition has arrived, and notice of said hearing has been given to the public by advertising once a week for two consecutive weeks in the Arizona Business Gazette; and

**WHEREAS**, no objections to the establishment, opening and declaration of said highway have been filed; and

**WHEREAS**, the Board believes that the granting of said petition and the establishment, opening and declaration of the highway as prayed for in said petition, are for the best interests of Maricopa County, and said highway is a public necessity;

**NOW, THEREFORE, BE IT RESOLVED** that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

**BE IT FURTHER RESOLVED** that the Board accept any right-of-way or property donated to the State or County for said highway. The Board hereby accepts all U. S. Patent easement reservations, right-of-way or properties along this alignment into the Department of Transportation's Highway system.

**BE IT FURTHER RESOLVED** that the County Engineer be directed and authorized, and he is hereby so directed and authorized, to negotiate with owners of parcels of private property required for the right-of-way of said public highway with the view of obtaining for Maricopa County said private property, subject to the ratification and approval of this Board.

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**BE IT FURTHER RESOLVED** that the County Attorney be directed and authorized, and he is hereby directed and authorized, to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for right-of-way, which cannot be obtained by donation or purchase.

**DATED** this 18<sup>th</sup> day of May 2005.

**ORGANIZATION OF ADDITION NO. 2 TO THE ANTHEM I STREET LIGHTING IMPROVEMENT DISTRICT**

**ORDER ESTABLISHING  
ADDITION 2 ANTHEM I STREET LIGHTING IMPROVEMENT DISTRICT**

Petitions having been filed with the Clerk of the Board of Supervisors of Maricopa County, Arizona, on November 20, 1998 praying for the establishment of Anthem I Street Lighting Improvement District, and on June 10, 2002 praying for the establishment of Addition 1 Anthem Street Lighting Improvement District, under the provisions of Title 48, Chapter 6, Article 1, Arizona Revised Statutes, 1956, and said petitions having been presented to the Board of Supervisors on the 16<sup>th</sup> day of December 1998 and the 10th day of June 2002 respectively.

A petition having been filed with the Clerk of the Board of Supervisors of Maricopa County, Arizona on May 18, 2005 praying for the addition of lands to the existing Anthem I Street Lighting Improvement District boundary and said petition having been presented to the Board of Supervisors on the 18th day of May 2005 at the hour of 9:00 a.m., at the usual meeting place of said Board of Supervisors at 301 West Jefferson Street, in the City of Phoenix, as required by said Arizona Revised Statutes, 1956, and said Board having heard all interested property owners who appeared at said hearing on any matter relating to the establishment of the proposed addition, or filed with the Clerk of the Board of Supervisors, before the date for said hearing, and after having heard all of said property owners, said Board of Supervisors finds that said petitions are signed by the requisite number of owners of real property and further finds that the public convenience, necessity and welfare will be promoted by the addition to said district, and hereby, by this formal order declares the findings aforesaid, and establishes the boundaries as follows:

SEE EXHIBIT "A" BELOW

And further declares that said district is now expanded and established under the name of Addition 2 Anthem I Street Light Improvement District, by which name it shall be known in all proceedings hereafter.

Upon motion made by Supervisor Kunasek, seconded by Supervisor Brock and unanimously carried (5-0) the foregoing order is declared adopted this 18<sup>th</sup> of May 2005. (Supervisory District 3) (C6405294000) (ADM4302)

**DATED** this 18<sup>th</sup> day of May 2005.

/s/ Max W. Wilson, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

EXHIBIT "A"

A Parcel Of Land Lying Within Section 27 And A Portion Of The Southeast Quarter Of Section 22, Township 6 North, Range 2 East Of The Gila And Salt River Base And Meridian, Maricopa

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County, Arizona, More Particularly Described As Follows:

Beginning At The Southeast Corner Of Said Section 27 (Glo Brass Cap) From Which Point The East Quarter Corner Thereof (Glo Brass Cap) Bears North 00 Degrees 19 Minutes 57 Seconds East, A Distance Of 2639.64 Feet;

Thence North 89 Degrees 53 Minutes 19 Seconds West, Along The South Line Of The Southeast Quarter Of Said Section 27, A Distance Of 2640.84 Feet To The South Quarter Corner (Glo Brass Cap) Thereof;

Thence North 89 Degrees 49 Minutes 29 Seconds West, Along The South Line Of The Southwest Quarter Of Said Section 27, A Distance Of 9.04 Feet To A Point On The East Right-Of-Way Line Of Interstate 17, Being The Beginning Of A Non-Tangent Curve To The Right, From Which Point The Radius Point Bears North 78 Degrees 24 Minutes 20 Seconds East;

Thence Along Said East Right-Of-Way Line Of Interstate 17, The Following Five (5) Courses And Distances:

Thence 2830.31 Feet Along The Arc Of Said Curve To The Right, Having A Radius Of 11255.16 Feet, Through A Central Angle Of 14 Degrees 24 Minutes 29 Seconds, And A Chord Bearing North 04 Degrees 23 Minutes 25 Seconds West;

Thence North 09 Degrees 12 Minutes 09 Seconds East, A Distance Of 694.62 Feet;

Thence North 16 Degrees 39 Minutes 41 Seconds East, A Distance Of 437.47 Feet;

Thence North 10 Degrees 58 Minutes 19 Seconds East, A Distance Of 952.04 Feet;

Thence North 85 Degrees 33 Minutes 56 Seconds East, A Distance Of 123.91 Feet To A Point On The South Right-Of-Way Line Of Daisy Mountain Drive As Shown On The Map Of Dedication For Daisy Mountain Drive And Gavilan Peak Parkway, Recorded In Book 556 Of Maps, Page 18, Maricopa County Records;

Thence Along Said South Right-Of-Way Line Of Daisy Mountain Drive, The Following Nineteen (19) Courses And Distances:

Thence N 82 Degrees 14 Minutes 21 Seconds East, A Distance Of 124.57 Feet;

Thence North 15 Degrees 21 Minutes 46 Seconds East, A Distance Of 132.85 Feet;

Thence North 85 Degrees 33 Minutes 51 Seconds East, A Distance Of 115.14 Feet;

Thence 670.32 Feet Along The Arc Of A Curve To The Left, Having A Radius Of 1974.86 Feet, Through A Central Angle Of 19 Degrees 26 Minutes 52 Seconds, And A Chord Bearing North 75 Degrees 50 Minutes 25 Seconds East;

Thence North 66 Degrees 06 Minutes 59 Seconds East, A Distance Of 292.34 Feet;

Thence 284.24 Feet Along The Arc Of A Curve To The Right, Having A Radius Of 1844.86 Feet, Through A Central Angle Of 08 Degrees 49 Minutes 40 Seconds, And A Chord Bearing

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North 70 Degrees 31 Minutes 49 Seconds East;

Thence S 15 Degrees 03 Minutes 21 Seconds East, A Distance Of 60.00 Feet To The Beginning Of A Non-Tangent Curve To The Right, From Which Point The Radius Point Bears South 15 Degrees 03 Minutes 21 Seconds East;

Thence 56.07 Feet Along The Arc Of Said Curve To The Right, Having A Radius Of 1784.86 Feet, Through A Central Angle Of 01 Degrees 48 Minutes 00 Seconds, And A Chord Bearing North 75 Degrees 50 Minutes 39 Seconds East;

Thence North 13 Degrees 15 Minutes 21 Seconds West, A Distance Of 60.00 Feet To The Beginning Of A Non-Tangent Curve To The Right, From Which Point The Radius Point Bears South 13 Degrees 15 Minutes 21 Seconds East;

Thence 200.92 Feet Along The Arc Of Said Curve To The Right, Having A Radius Of 1844.86 Feet, Through A Central Angle Of 06 Degrees 14 Minutes 24 Seconds, And A Chord Bearing North 79 Degrees 51 Minutes 51 Seconds East;

Thence South 07 Degrees 00 Minutes 57 Seconds East, A Distance Of 60.00 Feet To The Beginning Of A Non-Tangent Curve To The Right, From Which Point The Radius Point Bears South 07 Degrees 00 Minutes 57 Seconds East;

Thence 62.53 Feet Along The Arc Of Said Curve To The Right, Having A Radius Of 1784.86 Feet, Through A Central Angle Of 02 Degrees 00 Minutes 26 Seconds, And A Chord Bearing North 83 Degrees 59 Minutes 16 Seconds East;

Thence North 84 Degrees 59 Minutes 29 Seconds East, A Distance Of 27.09 Feet;

Thence North 05 Degrees 00 Minutes 31 Seconds West, A Distance Of 60.00 Feet;

Thence North 84 Degrees 59 Minutes 29 Seconds East, A Distance Of 368.18 Feet;

Thence South 50 Degrees 00 Minutes 31 Seconds East, A Distance Of 35.36 Feet;

Thence North 84 Degrees 59 Minutes 29 Seconds East, A Distance Of 130.00 Feet;

Thence North 39 Degrees 59 Minutes 29 Seconds East, A Distance Of 35.36 Feet;

Thence North 84 Degrees 59 Minutes 29 Seconds East, A Distance Of 3.14 Feet To A Point On The East Line Of Said Southeast Quarter Of Section 22;

Thence South 00 Degrees 02 Minutes 52 Seconds West, Along Said East Line, A Distance Of 228.56 Feet To The Southeast Corner Thereof, Calculated From An Alta Survey, Recorded In Book 486 Of Maps, Page 18, Maricopa County Records;

Thence South 00 Degrees 12 Minutes 19 Seconds West, Along The East Line Of The Northeast Quarter Of Section 27, A Distance Of 2637.43 Feet To The East Quarter Corner (Glo Brass Cap) Thereof;

Thence South 00 Degrees 19 Minutes 57 Seconds West, Along The East Line Of The

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Southeast Quarter Of Said Section 27, A Distance Of 2639.64 Feet To The Point Of Beginning;

Said Description Contains 329.6790 Acres Of Land (Net), More Or Less, Including Any Easements Of Record.

The Basis Of Bearing For The Above Description Is S 00 Degrees 19' 57" W For The East Line Of The Southeast Quarter Of Section 27, Township 6 North, Range 2 East Of The Gila And Salt River Meridian, As Shown On An Alta Survey Recorded In Book 486, Page 18, Maricopa County Records.

[Clerk's Note: This is not an official part of the minutes. The corrected order was approved by the Board of Supervisor's on December 7, 2005.]

**PUBLIC HEARING – REVISED MARICOPA COUNTY AIR POLLUTION CONTROL REGULATION  
RULE 280, FEES**

Chairman Wilson called for a public hearing, as required by A.R.S. §49-479(b), to solicit comments and consider adoption of the proposed revised Maricopa County Air Pollution Control Regulation Rule 280, Fees. (General Provisions and Definitions). (C8505015M00) (ADM2354)

Jo Crumbaker, Planning and Analysis Division Manager, Air Quality Control, was present to answer questions if necessary but she did not speak. Supervisors Stapley and Brock said they had received complaints from constituents and questions from staff on the proposed fee increase to \$1,060 from the original fee of \$425. Mr. Stapley read subsection 3 11.1 and 3 11.2 of the Rule on fees and explained why he felt this increase has not been justified by the Department.

**Summary**

The Maricopa County Air Quality Department (MCAQD) is changing the fees it charges to owners and operators of sources of air pollution. The affected fees are for billable permit actions, annual administrative fees for Title V and Non-Title V sources, emissions-based fees for Title V sources, general permit fees, gasoline delivery vessel fees, permit to burn fees, earth moving permit fees, asbestos notification and plan review filing fees, and other miscellaneous administrative fees. MCAQD is reclassifying some sources to different fee table categories based on the Department's experience in applying the revised classifications adopted in May 2003. MCAQD is also reclassifying to a higher fee category sources that receive three complaints on different dates during a one-year period from different individuals residing in violations resolved by an order of abatement by consent or judicial action.

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to adopt the proposed revisions to Rule 280 with an amended fee amount that reverts back to the original fee of \$425, as opposed to the proposed fee of \$1,060 in the revised Rule.

**COUNTY AUDITOR ANNUAL AUDIT PLAN**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the County Auditor's Annual Audit Plan for FY 2005-06. (Audit Plan is on file in the Clerk of the Board's Office) (C2305003M00) (ADM2600)

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**AMENDMENT TO LEASE WITH MILLETT FAMILY PROPERTIES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve and execute amendment to Lease No. L-7229 with Millett Family Properties, Ltd., lessor, for 11,900 square feet of office space, located at 540 W. Iron Avenue, Mesa, Arizona. This amendment will extend the term of the existing lease for two years from July 15, 2005 to July 14, 2007. The annual rental rate is \$15.50 per square foot or an annual rate of \$184,450.00 plus rental tax. The lease contains a 90-day termination provision and a six-month holdover provision. (C1996028403)

**DONATION AND TEMPORARY ADDITION TO THE FLEET - UTILITY TRAILER**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve a donation from Church Mutual Insurance Company and a one-time addition to the Sheriff's Office fleet of one 8 x 12 1991 Liberty enclosed utility trailer, valued at \$3,995. This trailer will be assigned to the Sheriff's Office General Investigations Unit to be used as a search warrant support trailer to carry packaging material and evidence. Obtaining a new vehicle identification number will also be necessary, since the original has been removed. This is a temporary addition to the fleet and will be removed at the end of its useful life with no funding from the General Fund for replacement. (This amendment reflects a change to correct the original description from a flatbed utility trailer to an enclosed utility trailer.) (C5004037M01) (ADM3104)

**TEMPORARY ADDITION TO RICO FLEET AND EXEMPTION FROM MARKINGS AND ISSUANCE OF NON-GOVERNMENTAL PLATES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve a one-time addition to the RICO fleet of a car, valued at approximately \$9,000, seized under DR#03-02445, and forfeited through the County Attorney under asset forfeiture #AF04060024, as stated in court order #CV2004-016054, for the benefit of the Maricopa County Sheriff's Office (MCSO) and is now Sheriff's Office property. The vehicle will be used for deep undercover activity and requires exemption from governmental markings, including non-governmental license plates, pursuant to A.R.S. §38-538.03. RICO funds will support its operation, maintenance and fuel costs, which are estimated to be \$3,500 per year. No vehicle replacement cost is associated with this temporary addition to fleet, which will automatically be removed from the MCSO fleet when it is no longer useful. Confidential vehicle information will be sent under separate cover and will be included in the list on file in the Clerk of the Board's Office and retained in accordance with ASLAPR approved retention schedule. (C5005062M00) (ADM3104V)

**DONATIONS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the acceptance of 20 donations to the Sheriff's Office, totaling \$3,576 from various individuals and organizations. Of this amount, \$3,076 was donated to the MCSO Animal Safe Hospice Unit, and \$500 was donated by the Wal-Mart Foundation to help fight street crime. (C5005064M00) (ADM3900)

**FUNDS TRANSFER FOR COMPUTER VIRUS PROTECTION**

Per A.R.S. §42-17106 (b), motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the transfer of not-to-exceed \$320,000 from Appropriated Fund Balance (480) General Fund (100) Reserved Contingency (4811) for Technology Projects to a new line in Appropriated Fund Balance (480) General Fund (100) Technology Projects (4814) entitled "MCSO



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Technology". Approval of this action will allow the Sheriff's Office to provide quick and effective widespread response to attacks on computer systems (viruses), and to quickly patch and update software. In the event that purchase and installation of the equipment is not complete by June 30, 2005, authorize the Office of Management and Budget to carryover the remaining balance to the FY 2005-06 budget. (C5005065800) (ADM3900-003)

**WAIVER TO EMPLOYEE LEAVE PLAN V & VI FOR DETENTION DEPUTY WILLIAM COLEMAN**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve a waiver to the Maricopa County Employee Leave Plan V & VI, for Detention Deputy William Coleman #977. This employee was seriously injured as a result of an "Act of Violence" through no fault or negligence of his own, while on duty in the holding area of the Probation Courts located at 201 S. 4th Avenue, Phoenix, Arizona, on March 16, 2005. Authorize payment of normal base salary and benefits to the employee for a duration of up to one year or return to full duty, whichever is earlier, to begin from the date of Board of Supervisors' approval. (C5005067M00) (ADM3320-001)

**EXCEPTION TO POLICY FOR ADMINISTERING GRANTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve an exception to the Policy for Administering Grants (A2505) section D.1. to the Maricopa County Sheriff's Office for FY 2005-06. This exception would authorize the Sheriff's Office to apply for unnamed law enforcement or detention related federal grants, that may or may not allow indirect cost recovery. This will authorize the Chairman to sign all applications, certifications, assurances, et cetera that are included in the federal grant application process. The Sheriff's Office FY 2004-05 Indirect Cost rate is 14%. If any funds are awarded, the Sheriff's Office will return to the Board of Supervisors for approval of acceptance. The Board of Supervisors approved a similar action for the Sheriff's Office in FY 2004-05 (C5005512300). (C5005068M00) (ADM1608)

**ACCEPT ADDITIONAL GRANT FROM U.S. DEPARTMENT OF HOMELAND SECURITY FOR DETECTORS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve acceptance of \$528,000 in additional grant funding from the U.S. Department of Homeland Security, 2004 Law Enforcement Terrorism Prevention Program (LETPP) Grant Award Number #2004-GE-T4-0051, passed through the Arizona Division of Emergency Management. The purpose of this funding is for the purchase of four GE EntryScan3 Explosive/Narcotic Detectors. The Board of Supervisors approved the original agreement for the Sheriff's Office on July 30, 2003 (C5004502M00), and Agreement Renewal Letter on March 23, 2005 (C5005373). The Sheriff's Office indirect cost rate for FY 2004-05 is 14%. Unrecoverable indirect costs associated with this grant are estimated to be \$73,920. The term of this award is through November 30, 2005.

The motion also approved revenue and expenditure appropriation adjustments to the Sheriff (500) Grants Fund (251) associated with the grant in an amount not-to-exceed \$528,000 for FY 2005-06. Arizona Constitution, Article 9, §20(3)(d)(iv), excludes from the definition of "local revenues" any "amounts received as grants and aid of any type received from the federal government..." and therefore, expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C5005537301)

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**AGREEMENT AND ACCEPTANCE OF GRANT FUNDING FROM OVERSIGHT COUNCIL ON DRIVING OR OPERATING UNDER THE INFLUENCE ABATEMENT FOR OVERTIME**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the grant agreement and acceptance of \$30,000 in grant funding from the Oversight Council on Driving or Operating Under the Influence Abatement. This grant will fund overtime related to preventing and abating driving, or operating under the influence in a motor vehicle or a motorized watercraft. The Sheriff's Office indirect cost rate for FY 2004-05 is 14%. Unrecoverable indirect costs associated with this grant are \$4,200. The term of this agreement is May 1, 2005 to April 30, 2006. (C5005550300)

**IGA WITH PIMA COUNTY SHERIFF'S DEPARTMENT TO ACCEPT GRANT FUNDS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve an Intergovernmental Agreement (IGA) between the Pima County Sheriff's Department and the Maricopa County Sheriff's Office, accepting \$364,437.00 in High Intensity Drug Trafficking Area Grant Funds from the Pima County Sheriff's Department. The term of this IGA is October 1, 2004 through September 30, 2006. Acceptance of this grant will allow the Sheriff's Office to continue the Maricopa County Methamphetamine Task Force (\$308,897.00) and the Joint Drug Intelligence Group (\$55,540.00). The Sheriff's Office indirect cost rate is 14%; the unrecoverable indirect cost associated with this grant is \$51,021.18. (C5005551300)

**ASSIGNMENT OF JUDGMENT FOR PROPERTY TAX COLLECTION AGAINST MAYO FOUNDATION AND MAYO CLINIC**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve and authorize execution of Acceptance of Assignment of Judgment, which will enable the Maricopa County Attorney, on behalf of the Treasurer, to pursue collection of a judgment in favor of the state and against the Mayo Foundation for Medical Education and Research, and the Mayo Clinic Scottsdale, for personal property taxes. Execution of the acceptance will obligate the county to remit to the state its portion of the proceeds as required by the law in effect as of the date of the judgment and will also require the county to indemnify the state against any claims arising out of the enforcement of the judgment. (C4305002M00) (ADM413-001)

**SETTLEMENT OF CLAIMS AND DISMISSAL OF APPEAL**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the settlement of all claims in the matter of Rigby Water Company v. Maricopa County and Sunrise and West End Water Companies v. Maricopa County, TX2003-000397 and TX2004-000459, consolidated.

The motion also dismissed the appeal, CA-TX 05-0002, of Final Judgment in TX2003-000397 consolidated with TX2004-000459, subject to payment of taxes consistent with the terms of settlement. This item was discussed in Executive Session on May 2, 2005. (C4305003000) (ADM413-001)

**FUNDS TRANSFER**

Pursuant to A.R.S. §42-17106, motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the transfer of expenditure authority from FY 2004-05 contingency funds in an amount not-to-exceed \$4,000,000 from General Government (470) General Fund

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(100) Reserved Items (4711) "Contract Counsel Reserve" to the Office of Contract Counsel (560) General Fund (100) at the end of the fiscal year. This action will require expenditure appropriation adjustments increasing the Office of Contract Counsel's General Fund budget by an amount not-to-exceed \$4,000,000, and reducing the General Government (470) General Fund (100) General Contingency reserved items by the same amount. (C5605005800) (ADM530)

**BY-LAWS FOR COMMISSION OF JUSTICE SYSTEM INTERVENTION FOR SERIOUSLY MENTALLY ILL**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to ratify the by-laws for the Commission of Justice System Intervention for the Seriously Mentally Ill. The creation of this commission was authorized by the Board of Supervisors on December 15, 2004. The commission members approved the by-laws on March 24, 2005. These by-laws establish the mission and duties; the membership, officers, and organization; the conduct of business; and rules of debate. (C2005015M00) (ADM1008)

**TRANSFER FUNDS FOR HUMAN SERVICES CAMPUS NOVA SAFE HAVEN**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the transfer of \$100,000 from Community Development Block Grant (CDBG) contingency funds to the Human Services Campus NOVA Safe Haven construction project. The project application requested \$300,000 to partially support construction of the Safe Haven structure. This fund transfer would restore the project funding to \$300,000 from the \$200,000 recommended by the Community Development Advisory Committee. No general funds will be involved in this action. This item is in conjunction with agenda items C1706005200 and C17060022ZZ. (C2005016000)

**REJECT CLAIMS DEMANDS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to reject claim demands (April 2005) for emergency medical services from private medical providers to patients who do not meet the requirements of Arizona Revised Statutes or Maricopa County Policies and are, therefore, not the responsibility of Maricopa County pursuant to the A.R.S. §11-629 (not a proper charge against the county) and A.R.S. §11-622 (claims not having been filed within six months after the last item of the account accrues). (A.R.S. §11-629 \$674,387.35 and A.R.S. §11-622 \$0.00). (List retained in accordance with ASLAPR approved retention schedule.) (C3905037700) (ADM1804)

**SUPERVISORS MONTHLY REPORT  
April 2005**

<b>Vendor</b>	<b>Amb., Doctors, Hosp. ARS 11-629</b>	<b>Over Six Months ARS 11-622</b>
Adult Medicine Associates Pc	280.00	0.00
Advanced Cardiac Specialists	7,873.00	0.00
Affiliated Cardiologists	2,535.00	0.00
Allure Plastic Surgery Pc	19,566.00	0.00
American Physicians Inc	410.05	0.00
Arizona Arrhythmia Consultant	446.00	0.00
Arizona Cardiology Group	340.00	0.00
Arizona Grand Medical	758.00	0.00

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Arizona Pulmonary Specialists	979.00	0.00
Az Kidney Disease Hypertension	577.00	0.00
Banner Estrella Medical	8,559.17	0.00
Banner Good Sam Trauma Service	864.00	0.00
Banner Good Samaritan Reg Med	87,352.70	0.00
Banner Thunderbird Med Center	1,518.07	0.00
Barrow Neurology Clinic	231.50	0.00
Ceacmc Arizona	975.00	0.00
Chandler Regional Hospital	1,579.20	0.00
City Of Phoenix Ambulance	86.85	0.00
Copper State Orthopedics	282.00	0.00
Emergency Physicians Prof Asso	2,317.00	0.00
Emergency Professional Svcs Pc	1,787.00	0.00
Empower Emergency Physicians	323.00	0.00
Hospitalists Of Arizona	2,369.04	0.00
Maricopa Health Systems	15,888.07	0.00
Medpro	198,808.33	0.00
North Valley Emergency Special	223.00	0.00
Phoenix Memorial Hospital	122,340.80	0.00
Professional Diagnostix	23.00	0.00
Professional Medical Transport	765.33	0.00
Radiology Services	18.50	0.00
Rural Metro Ambulance	3,004.10	0.00
Scottsdale Healthcare Osborn	27,137.66	0.00
Sjh Trauma Billing	5,695.08	0.00
Southwest Ambulance	5,177.66	0.00
Southwest Diagnostic Imaging	40.00	0.00
St Josephs Hosp Arizona	148,719.00	0.00
St Lukes Behavior Health	4,363.24	0.00
Walker, Russell W Md	175.00	0.00
<b>Grand Totals:</b>	<b>674,387.35</b>	<b>0.00</b>
Restitution	0.00	
<b>Totals Denials:</b>	<b>674,387.35</b>	

**MANAGEMENT INCENTIVE PROGRAM PERFORMANCE PLANS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following Management Incentive Program Performance Plans for FY 2004-05, in compliance with the Board approved Management Incentive Policy:

- a. Lynn Sartor, R.Ph, Director of Pharmacy (C6005707000) (ADM3308-002)
- b. Deborah Morgan, Director of Medical Services (C6005708000) (ADM3308-002)
- c. Dr. Mehrdad Shafa, Chief Medical Officer (C6005709000) (ADM3308-002)

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**PERSONNEL AGENDAS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Maricopa County (Exhibit A) and Judicial Branch (Exhibit B) Personnel Agendas. Exhibits A and B will be found at the end of this set of minutes. The Clerk of the Board announced a change to the Judicial Branch Personnel Agenda Attachment updating the Location to 270 Juvenile Probation and the Department to 2760 Research – Plan Info Sys and Admin. The corrected Attachment is included in Exhibit B.

**FUNDING AHCCCS EQUITY RESERVE FOR SPECIAL HEALTH CARE DISTRICT**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the County Manager to negotiate with the Special Health Care District to amend the Intergovernmental Agreement with the district in relation to transferring of the Maricopa Health Plan to the district. Such an amendment will include:

- Provision of funds by Maricopa County to be held in trust, in an amount sufficient to meet the equity reserve required by AHCCCS Administration, in order for the district to operate the Maricopa Health Plan. The amount provided will be calculated based on the number of plan members as of September 30, 2005. The funds held in trust, along with accrued interest, will revert back to the county on the date of expiration or cancellation of the current contract with AHCCCS in 2008.
- Maricopa County will pay the annual premium, not to exceed \$100,000, for a Bank Letter of Credit also required by AHCCCS, until expiration or cancellation of the current contract. The county's payment of this premium is contingent upon the district obtaining a line of credit secured by its FY 2005-06 property tax receipts. (C4905032601) (ADM2119)

**FY 2005-06 TENTATIVE BUDGET FOR MARICOPA COUNTY**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the FY 2005-06 Tentative Budget by total appropriation for each department and fund in the amount of \$2,240,037,140 (Expenditures totaling \$2,083,209,174 and Appropriated Beginning Fund Balance of \$156,827,966). Also approve the FY 2005-06 Tentative Budget Executive Summary. (C4905039800) (ADM1801)

**SETTLEMENT AGREEMENT WITH PUBLIC HEALTH DEPARTMENT DIRECTOR, HIV/HCV SERVICES**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the Settlement Agreement between the Public Health Department Director, HIV/HCV Services and Maricopa County, as discussed in Executive Session on May 16, 2005. (C4905044M00) (ADM409)

**AMENDMENT WITH BODY POSITIVE, INC. FOR ALTERNATIVE/COMPLEMENTARY SERVICES**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 1 to Contract Number C86058251 with Body Positive, Inc., for the provision of Alternative/Complementary Services. The amendment revises Section 2, Article 23 of the current contract in accordance with HRSA requirements, regarding referrals for services from the Primary Care

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Physician. All other terms and conditions of the original agreement shall remain in full force and effect. (C8605825101)

**CONTRACT WITH TANNER COMMUNITY DEVELOPMENT CORPORATION FOR CIRCLE OF FRIENDS PROGRAM**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a fee-for-service contract between the Maricopa County Department of Public Health and Tanner Community Development Corporation in an amount not-to-exceed \$69,986.07. This contract will be used for the Circle of Friends Program administration under the direction of the Maricopa County Tobacco Use Prevention Program. The contract has a retroactive start date of March 1, 2005, and will end February 28, 2006. Funding for this contract is provided by a grant from The American Legacy Foundation and will not increase the county general fund budget. The grant from American Legacy Foundation was approved on the April 20, 2005 under agenda #C8605903300. (C8605909100)

**MANAGEMENT INCENTIVE PROGRAM**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a Management Incentive Program for the following three individuals in the County Manager's Office: Christine Pinuelas, Executive Manager, Diane Sikokis, Government Relations Director, and Al Macias, Communications Director, for the period January 1, 2005 through December 31, 2005, in compliance with the Board approved Management Incentive Policy. (C3505021M00) (ADM3308-002)

**UTILITY EASEMENT TO APS FOR NEW RIVER SENIOR CENTER – WITHDRAWN**

Item: Authorize the conveyance of a utility easement to Arizona Public Service (APS) for the New River Senior Center, 48606 N. 17th Avenue, New River, CDBG Project No. DG0108 (APS Project No.W221783). (C1705108000) (ADM2009)

The Clerk announced that this item was withdrawn by the department.

**AMENDMENT WITH TEMPE ELEMENTARY SCHOOL DISTRICT #3 FOR HEAD START PROGRAMS FOOD CATERING**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Amendment No. 1 to the Intergovernmental Agreement (IGA) with Tempe Elementary School District #3, for the provision of food catering to participants in Maricopa County's Head Start programs. The IGA represents a fixed price agreement per each meal and snack, and an annual amount not to exceed \$140,563 (an increase of \$18,000 from the current limit of \$122,563). The IGA requires the Tempe Elementary School District #3 to provide a minimum 2/3 of the daily-recommended dietary allowances. Funding is provided by the Arizona Department of Education (via the U.S. Department of Agriculture's Child/Adult Care Food Program, School Breakfast Program, and the National School Lunch Program), and the U. S. Department of Health and Human Services. The term of the IGA is July 1, 2005 through June 30, 2006. This agreement does not include any county general funds. (C2205032201)

**AMENDMENTS TO IGA FOR COMMUNITY AND EMERGENCY SERVICES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Amendments No. 1, one-year renewals to the Intergovernmental Agreements (IGAs), for the delivery of various community and emergency services for low-income Maricopa County residents.

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Programs and services will be targeted to meet the goals of securing and maintaining employment; securing adequate education; better income management; securing adequate housing; providing emergency services; improving nutrition; creating linkages among anti-poverty programs; and achieving self-sufficiency. The term of the IGA renewals will be July 1, 2005 to June 30, 2006. Approval is contingent upon the final approval of the county's FY 2005-06 budget and the receipt of a fully executed agreement with the Arizona Department of Economic Security. There is no long-term commitment on the part of Maricopa County to continue this program beyond the term of the amendment. Service levels are contingent upon the availability of funding.

- a. **City of El Mirage** - The one-year contract amount is not-to-exceed the amount of \$111,245. Funding is provided by the Arizona Department of Economic Security (\$76,542) and Maricopa County (\$34,703). (C2205035201)
- b. **Town of Gila Bend** - The one-year contract amount is not-to-exceed the amount of \$75,214. Funding is provided by the Arizona Department of Economic Security (\$50,188) and Maricopa County (\$25,026). (C2205036201)
- c. **City of Glendale** - The one-year contract amount is not-to-exceed the amount of \$286,699. Funding is provided by the Arizona Department of Economic Security (\$233,593) and Maricopa County (\$53,106). (C2205037201)
- d. **Town of Guadalupe** - The one-year contract amount is not-to-exceed the amount of \$78,626. Funding is provided by the Arizona Department of Economic Security (\$52,466) and Maricopa County (\$26,160). (C2205038201)
- e. **Tempe Community Action Agency (Tempe Community Action Program)** - The one-year contract amount is not-to-exceed the amount of \$247,931. Funding is provided by the Arizona Department of Economic Security (\$187,326) and Maricopa County (\$60,605). (C2205078101)
- f. **Foundation for Senior Adult Living, Inc. (Peoria and Wickenburg Community Action Programs)** - The one-year contract amount is not-to-exceed the amount of \$178,687. Funding is provided by the Arizona Department of Economic Security (\$121,981) and Maricopa County (\$56,706). (C2205079101)
- g. **Community Services of Arizona Inc. (Chandler Community Action Program)** - The one-year contract amount is not-to-exceed the amount of \$155,891. Funding is provided by the Arizona Department of Economic Security (\$108,876) and Maricopa County (\$47,015). (C2205080101)
- h. **Community Services of Arizona Inc. (Gilbert Community Action Program)** - The one-year contract amount is not-to-exceed the amount of \$78,880. Funding is provided by the Arizona Department of Economic Security (\$52,635) and Maricopa County (\$26,245). (C2205081101)

**AMENDMENTS FOR EMERGENCY SHELTER GRANT PROGRAM**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Amendments No. 1 to the expense contracts for a not-to-exceed amount of \$26,264 for each contract for the period of July 1, 2005 through June 30, 2006. The amendments represent the county's

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option to renew the contracts for an additional 12-month period. The funds are provided to Maricopa County on a formula based allocation by the U.S. Department of Housing and Urban Development (HUD) under HUD's Emergency Shelter Grant (ESG) program. The funds will help support operating expenses in compliance with the requirements of the ESG program. Continued funding is contingent upon the availability of funds from HUD. The contracts do not include any county general funds.

- a. Save The Family Foundation of Arizona (C2205082101)
- b. Catholic Social Services (C2205083101)
- c. New Life Center (C2205084101)

**CONTRACT WITH CENTRAL ARIZONA SHELTER SERVICES FOR EMERGENCY SHELTER AND SUPPORTIVE SERVICES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to award a contract to Central Arizona Shelter Services in the amount of \$180,000 to provide emergency shelter and comprehensive supportive services for homeless individuals and families during FY 2005-06. The agreement will be effective on July 1, 2005, and shall terminate on June 30, 2006. The funding for this contract is pending approval of the FY 2005-06 Maricopa County budget by the Board of Supervisors. (C2206086100)

**CONTRACT WITH SUN HEALTH/OLIVE BRANCH SENIOR CENTER FOR SUPPORTIVE SERVICES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to award a contract to Sun Health/Olive Branch Senior Center in the amount of \$20,000, to support the provision of a comprehensive array of supportive services to elderly individuals during FY 2005-06. This agreement will be effective on July 1, 2005, and will terminate on June 30, 2006. (C2206087100)

**CONTRACT WITH CATHOLIC SOCIAL SERVICE OF CENTRAL AND NORTHERN ARIZONA, INC. FOR HEAD START AND EARLY HEAD START SERVICES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve a cost reimbursement contract between Catholic Social Service of Central and Northern Arizona, Inc., an approved Delegate Agency, and Maricopa County's Human Services Department, for the provision of Head Start and Early Head Start services in the western part of the county. The target population includes low-income children ages 0-5 years and their families. The current contract amount is \$6,967,118. Funding for this contract is provided by the U.S. Department of Health and Human Services. This contract is effective on July 1, 2005, and shall terminate June 30, 2006. This contract does not include any county general funds. (C2206090100)

**AUTHORITY TO APPLY FOR GRANT FROM DEPARTMENT OF TOURISM**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize the Parks and Recreation Department to apply to the Arizona Department of Tourism for Teamwork for Effective Arizona Marketing (TEAM) funding for a five-year period through December 31, 2009. Designate authority to the Parks and Recreation Department to sign all necessary application paperwork. If a grant award is made, authority to accept the funds will remain with the Board of Supervisors. This will simplify the process of applying for grants since the department will not require a Board action for each application. Indirect costs are not allowable on this grant. (C3005039300) (ADM3200)



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**ADDITIONAL FUNDING FOR GUADALUPE BRIDGE/SUN CIRCLE TRAIL/MARICOPA TRAIL FACILITY**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve expenditure of the county's share of match funding needed for additional funds to complete the design of the Guadalupe Bridge/Sun Circle Trail/Maricopa Trail Facility. Maricopa Association of Government (MAG) has determined that an additional \$400,000 in funding is needed in order to proceed with the design of the projects. MAG has agreed to provide the additional needed funding for the design, provided there is a \$22,800 matching payment. The Town of Guadalupe has agreed to a 50%-50% split of the needed matching share. The county's share of the match is \$11,400 (C30010333). (C3005041800) (ADM3312)

**KENNEL PERMIT**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the issuance of a kennel permit for Bonnie Young, d.b.a. Young Kennels, 515 W. Rockaway Hills, Desert Hills, AZ 85087, for the term of May 18, 2005 through May 17, 2006. The cost of a kennel permit is \$90. (C7905089C00) (ADM2304)

**DONATIONS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the acceptance of a donation from Ms. Pamela Glove, 510 N. Alma School Road, #250, Mesa, AZ 85201 to Animal Care & Control in the amount of \$2,000. Donation revenue funds are deposited into Fund (573) as they are received. (C7905090700) (ADM2300)

**DONATION AND ADDITION TO FLEET**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to accept a donation of a 1990 Ford F476 truck with a Grumman truck body and Waltco lift gate from Friends of Animal Care & Control, a 501(c) 3 organization in Phoenix, Arizona. Add the 1990 Ford F476 truck, AZ license plate CC32089, VIN #2FDLF47M2LCB34593 to the Fund (572), Agency (792), Low Org (7940) fleet. The truck will be used to transfer donated pet food and supplies between the three Maricopa County animal shelters. The operational costs for the truck will come from existing budgeted funds for FY 2004-05 and will be absorbed into the next year's budget. The donation is valued at \$2,698. (C7905091700) (ADM3104)

**FUND TRANSFERS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve regular and routine fund transfers from the operating funds to clearing funds including payroll, work authorizations, journal entries, allocations, loans, and paid claims. Said claims having been recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and incorporated herein by this reference.

**INMATE BOOKING AND HOUSING FEES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the annual adjustment to the inmate booking and housing fees charged to other jurisdictions

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for the use of Maricopa County jails. The effective date of this adjustment will be July 1, 2005. The inmate-booking fee will increase from \$108.13 to \$134.19 per inmate booked; the inmate-housing fee will increase from \$47.14 to \$56.23 per day. (C1805020800) (ADM3911)

**IGA WITH BUCKEYE VALLEY RURAL FIRE DISTRICT FOR LAND SALE**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) on a roll call vote, with Supervisors Brock, Stapley, Kunasek, Wilson and Wilcox voting "aye," to approve and execute an Intergovernmental Agreement (IGA) with the Buckeye Valley Rural Fire District for a conditional purchase of 5.5 acres of county-owned land in the Rainbow Valley area. The district has leased the site from the county since 1974 for a fire station. This IGA will create a purchase/sale agreement that is conditional on the county's ability to remove a Land & Water Conservation Fund encumbrance on the site. The purchase price is \$100,000 to be paid commencing with a \$12,000 payment into escrow for FY 2004-05, and another \$12,000 on July 1, 2005 for FY 2005-06. A balloon payment for the \$76,000 balance, will be due 60 days after either removal of the encumbrance or 24 months after the effective date of the agreement. If the encumbrance cannot be removed, the sale will be cancelled and the agreement will revert to a lease agreement at \$1,000 per month. All revenues are to be earmarked and deposited into the County Parks "Enhancement Fund". Previous payments will be considered non-refundable rents. Maricopa County retains an option to reacquire up to one-acre of the land for a future county facility, by donation from the district. In addition, the district agrees to cooperate with future community center developments by providing sufficient land for the project. (This item was discussed in Executive Session on May 2, 2005.)

**ACCEPT BIDS AND EXECUTE DOCUMENTS FOR SURPLUS PROPERTIES SOLD AT PUBLIC AUCTION**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the highest bids received for three surplus properties that have been sold at public auction on April 27, 2005, pursuant to authorization given by the Board of Supervisors on May 5, 2004, in agenda number C1804036B00. Authorize the Chairman of the Board to execute documents as necessary to complete the transactions. Minimum deposits of ten percent of appraised value were collected as a condition of bidding. A final bid amount, in excess of the appraised value, was received for each of the three parcels. The combined appraised value total for the three parcels is \$466,930 and the total dollar amount bid for the three parcels was \$672,000. (C1805029B00) (ADM812)

**SOLICITATION SERIALS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following solicitation serial items. The action on the following items is subject to County Counsel's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

**Award of Solicitation Serials**

- |                |   |
|----------------|---|
| <b>05006-C</b> | <b>Bread, Fresh</b> (\$280,000 estimate/four years with one two-year renewal option). Pricing agreement to purchase fresh bread for MCSO Food Services. <ul style="list-style-type: none"><li>○ Holsum Bakery</li></ul> |
| <b>05019-C</b> | <b>Asphalt, Emulsified and Oil and Petroleum Resin</b> (\$3,600,000 estimate/three years with three one-year renewal options). Pricing agreement to purchase  |

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asphalt, emulsified and oil, and petroleum resin for maintenance of county roadways.

- Paramount Petroleum Corp.

**Contract Renewals:**

**Extension of the following contracts** (Extensions are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed):

**Until December 31, 2010**

- 00162-L      Operational Lease and Rental of Trucks, Trailers and Tractors** (\$5,000,000 estimate/five years). Price agreement to lease trucks, trailers and tractors for MCSO.
- Penske Truck Leasing
  - Xtra Lease, Inc.

**Until July 31, 2006**

- 01059-SC      Temporary Mid-Level Medical Personnel – MCDPH** (\$1,000,000 estimate/one year). Price agreement renewal to provide temporary mid-level medical personnel to the Public Health Agency as required to remedy staff vacancies.
- Asereth Medical Services, Inc.
  - Cameron And Company, Inc.
  - Carrigan's Registry
  - Cypress Homecare Solutions
  - Dependable Nurses of Phoenix
  - Intelistaf
  - Nurses Plus Health Care
  - Sacred Heart Nursing Services

**Until May 31, 2007**

- 02137-C      Equipment Maintenance, Reconditioning, and Repair Services – Office, Photographic, and Radio/Television Equipment, Electronic Equipment** (\$730,000 estimate/two years). Pricing agreement renewal to provide equipment maintenance, reconditioning, and repair services for various types of equipment at detention facilities and other county buildings.
- Americam
  - ASSI Security of Arizona
  - Benson Systems
  - Norment Security Group, Inc.

**Increase in the price agreement amount for the following contracts.** This request is due to an increased usage by county departments.

- 01059-SC      Temporary Mid-Level Medical Personnel – MCDPH** (\$175,000 increase). Increase price agreement value from \$495,000 to \$670,000. This \$175,000 increase is requested by Public Health to enable this agency to continue to

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provide temporary mid-level medical personnel to fill staff vacancies through July 31, 2005. This agreement was awarded by the Board of Supervisors on July 25, 2001, and has an expiration date of July 31, 2005.

**03260-RFP      Maximo/Dolphin Program Upgrade** (\$200,000 increase). Increase price agreement value from \$400,000 to \$600,000. This \$200,000 increase is being requested by the Facilities Management Department to purchase additional upgrades, software modules, and applicable training that are needed to facilitate new MFR reporting criteria that is being mandated by county administration. These upgrades will be necessary to implement new bar coding operations. This agreement was approved by the Board of Supervisors on May 19, 2004, and has an expiration date of May 31, 2007.

**04107-C      Road Grader, 160 H.P.** (\$253,300 increase). Increase price agreement value from \$356,144 to \$609,444. This \$253,300 increase will permit the additional purchase of a road grader for the Solid Waste Department. This agreement was initially approved by the Board of Supervisors on August 18, 2004, and has an expiration date of August 31, 2005.

**CAPA Approvals**

The following individuals have successfully completed training provided by Materials Management and will be able to conduct nominal value procurements in selected areas for their individual agencies in accordance with the approved Certified Agency Procurement Aide Policy and Procedures.

**Facilities Management**  
Louis Gutierrez

**Sheriff's Office**  
James Lewallen  
Denise Morlan

**Recorder**  
Barb Johnson

**Managed Care**  
Ann Winstanley

**Solid Waste**  
Erica Vejrostck

**Public Health**  
Delores Gonzalves

**SETTLEMENT AGREEMENT WITH RAFAEL GAXIOLA**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the settlement agreement in Rafael Gaxiola, et al. v. Maricopa County, et al. CV2004-01389. This item was discussed in Executive Session on April 4, 2005 and the settlement amount was approved by the Board of Supervisors on April 20, 2005. (C7505016101) (ADM409)

**SETTLEMENT WITH VALUE OPTIONS OF ARIZONA FOR TRIP REDUCTION ORDINANCE**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the proposed settlement of fines from Value Options of Arizona (V.O. of Arizona, Inc., an Arizona Corporation) received from the violations of Maricopa County's Trip Reduction Ordinance into the General Government Department – General Fund (Fund 100, Dept 470, Org 4781, PAS code GGOV, Object code 637). This item was discussed in Executive Session on May 16, 2005. (C8505021000) (ADM2359)

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**MARICOPA COUNTY/PINAL COUNTY LOCAL AREA PLAN FOR EMERGENCY ALERT SYSTEM**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the Maricopa County/Pinal County Local Area Plan for the Emergency Alert System (EAS). The EAS is a Federal Communications Commission sponsored program that uses commercial radio and television stations to quickly inform the public about severe weather and other disasters that may threaten their safety. The plan provides guidance for implementing and broadcasting EAS messages in Maricopa County and northwest Pinal County. It updates the previous EAS plan by incorporating two new event codes and adding FM radio station KKLT as a local primary station. The Chairman of the Board of Supervisors will sign the plan for Maricopa County; other signatories are the Chairman of the Pinal County Board of Supervisors, the National Weather Service, the three local primary radio stations, and the co-chairmen of the Arizona SEC. The plan will be valid until superseded by an updated version. There is no cost to the county, and no revenue will be generated. (C1503006001) (ADM900)

**ACCEPTANCE OF COMMUNITY EMERGENCY RESPONSE TEAMS GRANT FUNDS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve and amend the acceptance of Community Emergency Response Teams (CERT) Grant Funds split between two fiscal years, \$63,099.00 in FY 2004-05 and \$63,099.00 in FY 2005-06, from the Office of Domestic Preparedness. The funds are being awarded for the establishment of Citizen Corps Councils; delivery of training and maintenance of the programs of Citizen Corps; and establishment of CERT Teams in local communities. Funds from this grant will be allocated to political subdivisions of the government and non-profit organizations within Maricopa County. The Maricopa County Department of Emergency Management (MCDEM) will determine the distribution of funds. MCDEM's indirect cost rate is 11.53% for FY 2004-05 and FY 2005-06. Indirect costs are allowable and recoverable at a maximum rate of 3%. The maximum allowable recoverable indirect costs are \$1,893.00 for FY 2004-05 and \$1,893.00 for FY 2005-06. The unallowable/unrecoverable portion of indirect costs associated with this grant is \$5,382.50 for FY 2004-05 and \$5,382.50 for FY 2005-06. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation; therefore, expenditure of these revenues is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. The grant award period is December 1, 2003 through December 30, 2005. The grantor will provide advance funding for the grant in two equal installments of \$63,099.00 in each fiscal year. (C1505006302)

**APPROVE AND ACCEPT COMPETITIVE AWARD HMEP GRANT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve and accept an additional \$148.14 in competitive award for the Hazardous Materials (HMEP) Grant. This award supports the Local Emergency Planning Committee (LEPC). The grant period is July 1, 2004 through June 30, 2005. The funds will be used to purchase materials and supplies on behalf of LEPC, which the department provides the administrative support. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation; therefore, expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. The indirect costs are not recoverable. The funds will be used for program costs. (C1505008301)

**SETTLEMENT AGREEMENT WITH ENVIRONMENTAL SERVICES DIRECTOR**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the settlement agreement between the Director, Environmental Services Department and

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Maricopa County. This item was discussed in Executive Session on May 16, 2005. (C8805034000) (ADM409)

**CHANGE ORDER WITH LAYTON CONSTRUCTION COMPANY OF ARIZONA FOR NORTHEAST SUPERIOR /JUSTICE COURTS PROJECT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Change Order No. 6 to Contract CFD 03-02 with Layton Construction Company of Arizona, for construction of the Northeast Superior and Justice Courts Design-Build Project No. 2002320930 (3853-05-027), located at 40th Street and Union Hills Drive in Phoenix, in an amount of \$1,659,438. Change Order No. 6 primarily authorizes furniture, fixtures, and equipment to be provided by Layton Construction Company. Change Order No. 6 is budgeted in FY 2004-05 and FY 2005-06 General Fund County Improvements, Fund (445), Agency (479), Org. (4713), Object (0915), Function Class (CNRT). (C7005003503)

**ASSIGNMENT OF CONSTRUCTION MANAGER AT RISK CONTRACT FOR DURANGO JUVENILE COMPLEX RENOVATIONS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the assignment by change order of the Construction Manager At Risk Contract for Durango Juvenile Complex Renovations from Adaptive SM to Holder Construction, and the release of the Adaptive SM bid bond upon execution of an agreement with Holder Construction. This request has been made by Adaptive SM, has been agreed to by Holder Construction, and is recommended by Facilities Management. The project site is located at 3125 W. Durango Street, Phoenix. The project is within the budget. (C7005045100)

**MAJOR MAINTENANCE BUDGET ADJUSTMENTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the following FY 2004-05 Major Maintenance Budget Adjustments:

- a. Detention Operations, Fund (255), Agency (472), Org (4732) by decreasing Code Compliance Reserve, Function Class (RCCR) in the amount of \$50,000 and increasing the Durango Juvenile Probation Building Infrastructure Improvements, Function Class (DDII) in the amount of \$50,000. The adjustment has a net zero impact on the overall county budget. (C7005046800) (ADM800-003)
- b. General Fund, Appropriated Fund Balance, Fund (100), Agency (480), Org (4832):
  - Decrease**
    - o Bartlett Lake Improvements, Function Class (BLSO) in the amount of \$100,000,
    - o Lake Pleasant Improvements, Function Class (LPSO) in the amount of \$100,000, and
    - o West Mesa Justice Court, Function Class (WMJC) in the amount of \$50,000.
  - Increase**
    - o Security Center Building Infrastructure Improvements, Function Class (SIPN) in the amount of \$250,000.

The adjustments have a net zero impact on the overall county budget. (C7005047800) (ADM800-003)

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**CONTRACT WITH ARRINGTON WATKINS ARCHITECTS, LLC FOR MADISON STREET JAIL REMODEL PROJECT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve and authorize the execution of a professional architectural consultant services contract with Arrington Watkins Architects, LLC of Phoenix, Arizona, in an amount not-to-exceed \$509,475. This contract is to provide architectural design analysis services for the development of the Madison Street Jail Remodel project. The contract is scheduled to take 150 calendar days to complete. (C7005048800)

**PUBLIC NOTICES AND AWARD OF JOB ORDER CONTRACTS FOR SMALLER CONSTRUCTION PROJECTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the issuance of public notices and award Job Order Contracts (JOC) for repairs, maintenance, construction additions, remodeling, and/or renovations of various county facilities in the category of General Commercial Contractors (10 potential contracts). The JOCs will be issued for a five-year period, not-to-exceed \$3,000,000 per contract year. The maximum dollar amounts per individual job order will be governed by the Maricopa County Procurement Code and Article 5 Procedures, in accordance with statutory limits. The JOC projects will be funded by the county's Capital Improvement Program Fund, Major Maintenance Budget, Operations and Maintenance Budget, and/or by budgeted department funds. (C7005049100)

**IGA WITH TOWN OF WICKENBURG TO COLLECT GREEN WASTE FEES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve an Intergovernmental Agreement (IGA) with the Town of Wickenburg that provides for Maricopa County Transfer Station personnel to collect green waste fees for the Town of Wickenburg. (C6705002200)

**EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. (The list is retained in accordance with ASLAPR approved retention schedule.) (ADM2007)

A029.001 (CS)	Project No: TT060 - Northeast Maintenance Facility - Special Warranty Deed - Parcel No.: 211-86-001U - Anthem Arizona L.L.C. - for the sum of \$10.00.
A029.001 (CS)	Project No: TT060 - Northeast Maintenance Facility - Purchase Agreement and Escrow Instructions - Parcel No.: 211-86-001U - Anthem Arizona L.L.C.
A029.001 (CS)	Project No: TT060 – Northeast Maintenance Facility - Addendum to Purchase Agreement and Escrow Instructions - Parcel No.: 211-86-001U – Anthem Arizona L.L.C.
A263.012 (TS)	Project No: TT047 - 33rd Avenue (Irvine Road to Desert Hills Drive) - Agreement for Right of Entry - Parcel No.: 203-14-013A - Ramiro D. Bariga and Betty L. Brown - for the sum of \$500.00.

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- A263.012 (TS) Project No: TT047 - 33rd Avenue (Irvine Road to Desert Hills Drive) - Easement and Agreement for Highway Purposes - Parcel No.: 203-14-013A - Ramiro D. Bariga and Betty L. Brown - for the sum of \$53,868.00.
- A263.012 (TS) Project No: TT047 - 33rd Avenue (Irvine Road to Desert Hills Drive) - Purchase Agreement and Escrow Instructions - Parcel No.: 203-14-013A - Ramiro D. Bariga and Betty L. Brown.
- A289.006 (LS) Project No: TT047 - Peak View Road (64th Street to 66th Street) - Agreement for Right of Entry - Parcel No.: 216-68-103D - Donald J. Smith and Renee P. Smith - for the sum of \$500.00.
- A289.006 (LS) Project No: TT047 - Peak View Road (64th Street to 66th Street) - Easement and Agreement for Highway Purposes - Parcel No.: 216-68-103D - Donald J. Smith and Renee P. Smith - for the sum of \$14,455.00.
- A289.006 (LS) Project No: TT047 - Peak View Road (64th Street to 66th Street) - Purchase Agreement and Escrow Instructions - Parcel No.: 216-68-103D - Donald J. Smith and Renee P. Smith.
- A323.001 (CE) Project No: 69010 - Ratification of Quit Claim Deed - Parcel No. 202-20-338B, 452, 395, 015K, 409, 507A, 522, 523, 434, 341, 015W, 042F, 359, 043J, 043E, 043F, 346C, 345D, 570A, 570B, 016W, 303, 304A, 472A, 471, 340C, 339, 426, 430A, 300E, 300D, 302E, 302F, 302G, 038J, 038F, 038E, 016T - Phoenix Title and Trust Company.
- SRO 25-74 (GS) Project No: TT070 - Alma School Road Bridge (South Channel) and TT142 - Alma School Road North Bridge Grade Control Structure - Short-Term Use Permit - Salt River Pima-Maricopa Indian Community - for the sum of \$12,163.00

**ACCEPT CONTRACT WITH CS & W CONTRACTORS FOR ASPHALT RUBBER OVERLAY, SPRING 2005 PROJECT AND FUND TRANSFER**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to accept the low bid of \$429,287.02 from CS & W Contractors for the Asphalt Rubber Overlay, Spring 2005, Project No. T040 (16217), Contract No. 2005-08, 12th Street, Circle Mountain Road to Johnson Road. Approval of this agenda item is contingent upon the Board of Supervisors adopting the recommended FY 2005-06 budget.

Approve FY 2005-06 budget transfer of \$90,000 from Project No. T002, Project Reserve to Project No. T040, to fund the asphalt rubber overlay. (C6405215501)

**REIMBURSE AND ACCEPT PALO VERDE NUCLEAR GENERATING STATION AGREEMENT FOR ENCASEMENT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve reimbursement and acceptance of Palo Verde Nuclear Generating Station's (APS) agreement to encase their effluent pipeline within MCDOT Project 69083 – TT180 – Cotton Lane Bridge over the Gila River. The cost may not exceed the current estimate of \$589,354 by more than ten percent. Approval of this agenda item is contingent upon the Board adopting the recommended FY 2005-06 budget. This cost



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estimate represents 70% of the total cost of encasement. APS will pay the balance of the cost. (C6405279100)

**BIDS FOR CONSTRUCTION OF REAL-TIME TRAFFIC COORDINATION AND MESSAGING SYSTEM**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the authority to advertise bids for construction of a real-time traffic coordination and messaging system project along a portion of Bell Road in the northwest valley, Project No. T025. The estimated cost of the project is \$850,000. Federal funds, in the amount of \$775,000, are approved and programmed for this project. The cities of Peoria (IGA Agenda No. C6405203200) and Surprise (IGA Agenda No. C6404254200) are sharing in the \$75,000 matching fund cost with the Maricopa County Department of Transportation. Approval of this agenda item is contingent upon the Board adopting the recommended FY 2005-06 budget. (C6405282500)

**CONTRACT WITH BASEPLANS U.S.A. FOR UTILITY LOCATION SERVICES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve On-Call Contract No. 2005-13 with BasePlans U.S.A. for utility location services in an amount not-to-exceed \$200,000. The contract is effective for 730 calendar days following the Board of Supervisors' approval, or until the expenditure of \$200,000, whichever occurs first. Approval of this agenda item is contingent upon the Board adopting the recommended FY 2005-06 budget. (C6405289500)

**REIMBURSE SRP FOR RELOCATION OF FACILITIES - GILBERT ROAD: MCDOWELL TO SR 87**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve reimbursement to Salt River Project (SRP) for the costs incurred for the relocation of their facilities in conflict with Maricopa County Department of Transportation Project T081 (68957), Gilbert Road: McDowell to SR 87 with Low Water Crossing. The cost may not exceed the current estimate of \$363,650 by more than ten percent. (C6405290100) (ADM2000-006)

**BIDS AND AWARD CONTRACT FOR RIGGS ROAD AND SR 347 INTERSECTION IMPROVEMENT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the solicitation of bids for Riggs Road and State Route 347 Intersection Improvement with Arizona Department of Transportation Signal Upgrades, Work Order No. T157. Approve the award to the lowest responsive bidder, provided the lowest responsive bid does not exceed the engineer's estimate by ten percent. Approval of this agenda item is contingent upon the Board of Supervisors adopting the recommended FY 2005-06 budget. (C6405291500)

**REIMBURSE AND ACCEPT AGREEMENT WITH SRP FOR RELOCATION OF FACILITIES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve reimbursement and acceptance of Salt River Project's (SRP) agreement for costs incurred in the relocation of their facilities that are in conflict with Maricopa County Department of Transportation, Project T081, W.O. No. 68957, Gilbert Road: McDowell to SR 87 with Low Water Crossing. The cost may not exceed the current estimate of \$12,597 by more than ten percent. Approval of this agenda item is contingent upon the Board of Supervisors adopting the recommended FY 2005-06 budget. (C6405295100)

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**BIDS AND AWARD CONTRACT FOR ALMA SCHOOL ROAD NORTH BRIDGE AND FUND TRANSFER**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the solicitation for bids for the construction of a replacement grade control structure for the Alma School Road North Bridge Grade Control Structure, Project No. T142, which was damaged by flooding this past winter. Approve the award of a contract to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by more than ten percent. Approval of this agenda item is contingent upon the Board of Supervisors adopting the recommended FY 2005-06 budget.

Also approve a FY 2005-06 budget transfer of \$3,800,000 from Project T180 Cotton Lane Bridge, which has been delayed due to environmental permits, to Project T142 to fund the construction repairs. (Supervisory Districts 1 and 2) (C6405296500)

**ISSUE PUBLIC NOTICES AND AWARD JOB ORDER CONTRACTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the issuance of public notices and award of Job Order Contracts (JOC) for repairs, maintenance, construction additions, and/or renovations of various Department of Transportation projects in the following categories:

- o Guardrail services
- o Fencing purchase and new installation
- o Concrete placement
- o Traffic signals
- o Paving services

Approval of this agenda item is contingent upon the Board of Supervisors adopting the recommended FY 2005-06, FY 2006-07, and FY 2007-08 budgets. (C6405299500)

**REIMBURSE ROOSEVELT WATER CONSERVATION DISTRICT FOR ENGINEERING SERVICES AND CONSTRUCTION COSTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve reimbursement to Roosevelt Water Conservation District (RWCD) in the amount of \$64,871 for engineering services and construction costs for RWCD facility modifications to resolve conflicts with the Maricopa County Department of Transportation, (MCDOT) Project T046 (16223), PM 10-Southeast Valley. The cost may not exceed the estimated amount of \$64,871 by more than ten percent. MCDOT acknowledges that the irrigation facility has prior rights. This agenda item is contingent upon the Board adopting the FY 2005-06 budget. (C6405301100) (ADM2000-006)

**CONTRACT WITH HDR CONSTRUCTION CONTROL CORPORATION FOR VINEYARD AVENUE/143RD AVENUE, ESTRELLA PARKWAY TO INDIAN SPRINGS ROAD**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve Consultant Services Contract No. 2005-07 with HDR Construction Control Corporation in an amount not-to-exceed \$746,832.44 for construction administration services for the Vineyard Avenue/143rd Avenue from Estrella Parkway to Indian Springs Road, Work Order No. T191. Approval of

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this agenda item is contingent upon the Board adopting the recommended FY 2005-06 budget. (C6405310500)

**HEARINGS SET**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the following road file declarations. All hearings will be held at 205 W. Jefferson, Phoenix, unless otherwise noted:

- a. **Road File Declaration** – A public hearing was set to declare the following roads into the county highway system for 9:00 a.m., Wednesday, June 22, 2005.
  - i. **Road File No. A320.** In the vicinity of Miller Road from Beloit Road to Baseline Road. (6405297B00)
  - ii. **Road File No. 5335.** All streets consistent with the rights-of-way, as depicted in Sarival Farms, Phase I, in the vicinity of Sarival Avenue and Northern Avenue. (C6405302000)
  - iii. **Road File No. 5336.** All streets consistent with the rights-of-way, as depicted in Sarival Farms, Phase 2, in the vicinity of Sarival Avenue and Northern Avenue. (C6405303000)
  - iv. **Road File No. 5330.** All streets consistent with the rights-of-way, as depicted in Dreaming Summit, Unit 1, 2A and 2B, in the vicinity of Bethany Home Road and Dysart Road. (C6405304000)
  - v. **Road File No. 5329.** All streets consistent with the rights-of-way, as depicted in Dreaming Summit, Unit 1 A, in the vicinity of Bethany Home Road and 134th Avenue. (C6405305000)
  - vi. **Road File No. 5333.** All streets consistent with the rights-of-way, as depicted in Granite Mountain Ranch, Units 1 & 2 Off-sites, in the vicinity of 144th Street and Dixileta Drive. (C6405306000)
  - vii. **Road File No. 5334.** All streets consistent with the rights-of-way, as depicted in Pasqualetti Mountain Ranch, Phase I, in the vicinity of Indian School Road and 195th Avenue. (C6405307000)
  - viii. **Road File No. 5331.** All streets consistent with the rights-of-way, as depicted in Wigwam Creek South, Parcel 2B, in the vicinity of Dysart Road and Camelback Road. (C6405308000)
  - ix. **Road File No. 5332.** All streets consistent with the rights-of-way, as depicted in Russell Ranch, Phase 1, in the vicinity of Citrus Road and Camelback Road. (C6405309000)

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**HEARING SET – FY 2005-06 BUDGET**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to set a public hearing to solicit comments on the FY 2005-06 Maricopa County budget for Monday, June 20, 2005 at 9:00 a.m. in the Supervisors' Conference Room at 301 W. Jefferson, Tenth Floor, Phoenix, AZ. (C4905039800)

**HEARING SET - PLANNING AND ZONING CASES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to schedule a public hearing on any Planning, Zoning and Building Code cases in the unincorporated areas of Maricopa County for (meeting date 2 meetings in the future), June 22, 2005, at 9:00 a.m. in the Board of Supervisors Auditorium, as follows:

Z2004067: Z2004097: Z2005033

**INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA VARIABLE RATE DEMAND MULTIFAMILY HOUSING REVENUE BONDS (HORIZON COMMUNITY LEARNING CENTER PROJECT)**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to adopt the following captioned resolution, on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with Arizona State Libraries, Archives, and Public Records (ASLAPR). (ADM4792)

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA APPROVING THE ISSUANCE BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA OF ITS VARIABLE RATE DEMAND SENIOR LIVING FACILITIES REVENUE REFUNDING BONDS (CHRISTIAN CARE RETIREMENT APARTMENTS, INC. PROJECT), SERIES 2005A AND ITS SUBORDINATE SENIOR LIVING FACILITIES REVENUE REFUNDING BONDS (CHRISTIAN CARE RETIREMENT APARTMENTS, INC. PROJECT), SERIES 2005B, IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$44,000,000 (COLLECTIVELY, THE "BONDS")**

**ASRS CLAIMS**

No claims were presented at this time. (ADM3309-001)

**CANVASS OF ELECTIONS**

No election canvasses were reported at this time.

**CLASSIFICATION CHANGES**

No Classification changes were reported at this time. (ADM723)

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**COMPROMISES**

Accept the requested compromises as payment in full for the following cases: (Discussed in Executive Session on May 2, 2005). (ADM407)

Heermann, Keri	\$1,000.00	Villa, Jessica	\$562.00
Quintanilla, Angelica	\$500.00	Villa, Jose	\$810.00

**DUPLICATE WARRANTS**

Necessary affidavits having been filed, pursuant to A.R.S. §11-632, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve duplicate warrants be issued to replace county warrants and school warrants that were either lost or stolen. The list is retained in accordance with ASLAPR approved retention schedule. (ADM1823) (ADM3809) No county warrants were presented at this time.

**SCHOOL**

<b>NAME</b>	<b>SCHOOL</b>	<b>WARRANT</b>	<b>AMOUNT</b>
Jennifer Sanchez	Treasurer	150166397	\$1,299.63
Judith Sebastian	Isaac SD #5	450105064	\$614.40
Jan Garber	Littleton SD	150104074	\$203.98
Carol Virkler	Isaac SD #5	450109922	\$115.00
Ruben Ruiz	Isaac SD	150058216	\$163.74
Mohave Edu. Serv. Cooperative	Phoenix Elem SD #1	450104962	\$4,602.50
Sheryle Bennett	Nadaburg Elem SD #81	150073827	\$52.99
Frances Powlas	Nadaburg Elem SD #81	150097141	\$142.19
American Legion Auxiliary	Agua Fria Union High SD #216	450111731	\$200.00
Veronica Saucedo	Murphy Elem SD #21	150033589	\$562.08
Mohave Educational Serv.Coop	Isaac SD #5	450105060	\$5,542.60
ASU West	Madison Elem SD #38	450033498	\$1,017.00
Intelli Tools Inc	Madison Elem SD #38	450079175	\$667.95

**PRECINCT COMMITTEEMEN**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to authorize the appointment of precinct committeemen to fill vacancies in various precincts, pursuant to A.R.S. § 16-231.B, and removal of precinct committeemen due to disqualification in accordance with lists dated May 18, 2005, as submitted by the Elections Director, and on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with the Department of Library Archives, and Public Records retention schedule. (ADM1701)

**SECURED TAX ROLL CORRECTIONS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the Assessor's request for corrections of the Secured Tax Rolls. (List is retained in accordance with ASLAPR approved retention schedule.) (ADM705)

<b>Tax Roll</b>	<b>From No.</b>	<b>To No.</b>	<b>Net Result</b>
1999	7840	7842	-\$151.52

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2000	12924	12932	\$3,868.34
2000	12933	12933	-\$8,022.78
2001	38988	39055	\$3,262.10
2001	39056	39087	-\$139,164.98
2001	39089	39100	-\$20,376.74
2001	39127	39131	-\$5,444.16
2001	39132	39141	-\$4,844.31
2001	39142	39184	-\$34,155.36
2002	16071	16172	-\$41,437.22
2002	16173	16266	-\$265,525.10
2002	16267	16290	-\$109,273.54
2002	16339	16352	-\$70,573.66
2002	16353	16438	-\$106,886.72
2003	10399	10564	-\$244,067.58
2003	10565	10659	-\$572,558.26
2003	10660	10701	-\$193,623.70
2003	10798	10837	-\$202,170.56
2003	10775	10797	-\$45,379.92
2003	10838	10967	-\$147,585.98
2003	11075	11392	\$377,696.86

**SETTLEMENT OF TAX CASES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the settlement of tax cases dated May 18, 2005. (List is retained in accordance with ASLAPR approved retention schedule.) (ADM704)

<b>2003/2004</b>	ST 04-000161
TX 03-000077	ST 04-000162
<b>2003/2004/2005</b>	ST 04-000163
CV 02-023981	ST 04-000237
<b>2004</b>	ST 04-000251
ST 04-000078	ST 04-000313
ST 04-000248	ST 04-000348
ST 04-000250	ST 04-000352
TX 03-000627	ST 04-000353
TX 03-000629	ST 04-000354
TX 03-000649	ST 04-000355
TX 03-000689	TX 04-000644
TX 04-000917	TX 04-000834
<b>2004 / 2005</b>	TX 04-000913
TX 04-000724	TX 04-000943
<b>2005</b>	TX 04-000977
ST 04-000107	TX 04-001021
ST 04-000154	

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**STALE DATED WARRANTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to find that claims presented, pursuant to A.R.S. §11-644, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (A list retained in accordance with ASLAPR approved retention schedule.) (ADM1816)

<b>NAME</b>	<b>AMOUNT</b>
AU Raymond LLC	\$782.45

**TAX ABATEMENTS**

No requests for tax abatements were received from the Treasurer's Office. (ADM708)

**WRITE-OFFS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to accept the requested write-off for accounting purposes only for the following case: (Discussed in Executive Session held May 2, 2005). (ADM407)

Weisbrod, Melissa	\$7,622.25
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**FY 2005-06 TENTATIVE BUDGET FOR SPECIAL DISTRICTS**

The Board of Supervisors, sat as the Board of Directors of the various Districts and a motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the FY 2005-06 Tentative Budget for the Other Special Districts per the FY 2005-06 recommended Tentative Budget Schedules entitled "Direct Assessment of Special Districts Secondary Roll" and "Street Lighting Improvement District Levies Secondary Roll" and set a public hearing to solicit comments on the FY 2005-06 budget for Monday, June 20, 2005 at 9:00 a.m. in the Supervisors' Conference Room at 301 W. Jefferson, Tenth Floor, Phoenix, AZ. (C4905043800) (ADM4302)

**NEGOTIATIONS WITH ELLIOT & ELLSWORTH L.L.C. FOR THE POSSIBLE PURCHASE OF LAND FOR THE JUSTICE COURT COMPLEX**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to direct staff to enter into negotiations with Elliot & Ellsworth L.L.C. and/or other property owners for the possible purchase of land located in the vicinity of Ellsworth Road and Elliot Road in Mesa as a potential site for a new justice court complex. (This is Addendum item A-1)

**CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS**

No member of the public came forward to comment at this time.

**SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS**

Supervisor Wilcox said that Governor Napolitano has declared Arizona Public Works Week beginning May 16-20. She said that Maricopa County has many people involved in Parks and Recreation and MCDOT in streets and traffic and the Health Department in sanitation who would be recognized. She said that public works is the backbone of the Arizona economy and public infrastructure and is essential to our way of life. (ADM606)

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Chairman Wilson commented on Officer David Uribe who was killed in the line-of-duty and was buried yesterday and said his family must be very proud of the contributions he made to the community during his active service years. He added, "The men who wear the shields are never safe – they are always at risk for our protection."

### **PLANNING AND ZONING AGENDA**

David Smith left the dais at the end of this portion of the Board meeting. All Board Members, as listed above, remained in session. Joy Rich, Chief Regional Development Services Officer, Darren Gerard, Deputy Planning and Development Director, and Terry Eckhardt, County Counsel, came forward to present the following Planning and Zoning cases. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

#### **CONSENT AGENDA DETAIL:**

- 1.\*      **Z2002-092**      **District 3**  
         **Applicant:**      Jason Morris, for Withey Anderson & Morris P.L.C., and Tait Development, Inc for Phoenix – Yuma L.L.C.  
         **Location:**      East of I-17, south of Circle Mountain Road (in the New River/Anthem area)  
         **Request:**      Rezone from Rural-43 to C-1 PD, R1-7 RUPD, R1-8 RUPD, R1-18 RUPD and R1-35 RUPD – with the entire site subject to a PAD Overlay Zone – Arroyo Vista (204 ac.)

*\* Stipulation "bb" of Z2002092 is intended to correct a scrivener's error, and was not presented to the Planning and Zoning Commission. Incorrect language was carried forward in the Commission's recommendation to the Board of Supervisors; therefore, the language of stipulations "j" and "o" have been corrected. Stipulation "c" has also been revised to reflect an administratively extended sunset for conditional zoning.*

**COMMISSION ACTION:** Commissioner Aster moved to recommend approval of Z2002-092, subject to the following stipulations "a" through "aa". Commissioner Jones seconded the motion, which passed with a unanimous vote of 6-0.

- a.      Development and use of the site shall be in substantial conformance with the site plan entitled "Arroyo Vista", consisting of six (6) full-size sheets, prepared by Nash and Associates, Inc., dated revised March 7, 2003, stamped by the Registered Land Surveyor March 11, 2003, and stamped received March 27, 2003, except as modified by the following stipulations. (Revised as per stipulation "bb")
- b.      Development and use of the site shall be in substantial conformance with the narrative report entitled "Arroyo Vista a Master Planed Community", consisting of an eleven (11) page, spiral-bound document with exhibits dated revised March 2003 and stamped received March 27, 2003, except as modified by the following stipulations. (Revised as per stipulation "bb")
- c.      Approval is subject to conditional zoning as per the Maricopa County Zoning Ordinance. If a precise Plan of Development has not been approved for the commercial component of the project or if a Final Plat has not been approved for residential component of the



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project by August 13, 2006, the zoning may be revisited by the Planning and Zoning Commission for consideration and possible reversion to Rural-43 zoning.

- d. A Plan of Development (P.D.) Overlay Zone is applied to the commercial component of the project and a Precise Plan of Development must be approved prior to any development as per the Maricopa County Zoning Ordinance.
- e. A Residential Unit Plan of Development (R.U.P.D.) Overlay Zone is applied to the residential component of the project and all residential development must comply with the R.U.P.D. Chart included on the site plan listed in stipulation "a". [Note: The Average Lot Area Per Dwelling Unit is correctly noted as per stipulation 'bb'.]
- f. A Planned Area Development (P.A.D.) Overlay Zone is applied to the entire site.
- g. The commercial portion of the site shall be limited to the use and development standards as allowed in the C-1 zoning district and the I-17 Scenic Corridor Design Guidelines as required in the New River Area Plan. A screen wall adjacent to Rural or Residential zoning shall be required unless waived by either the Board of Adjustment, or the Board of Supervisors, during a properly advertised hearing.
- h. With respect to the I-17 Scenic Corridor, all aspects of the design criteria as discussed in the New River Area Plan shall be adhered to including parking lot landscaping. A minimum of fifteen percent (15%) of the total parking lot area for the commercial development shall be landscaped using 100% plant species indigenous to the immediate area.
- i. Residential development immediately adjacent to the Jacka Annex portion of Anthem shall be limited to single-story development and shall observe a maximum height limitation of 25 feet. This applies only to the southernmost row of lots in Parcel 10 as identified on the site plan referenced in stipulation 'a'. This height shall be measured finished grade if located outside of the hillside area as defined by the Maricopa County Zoning Ordinance. Should residential development occur within hillside slopes, the height shall be measured from natural grade as required by the Hillside Development Standards of the Maricopa County Zoning Ordinance.
- j. A natural open space buffer consisting of a strip of land 140 feet in width shall be located within the subject property, adjacent to the existing homes located within the Anthem community. Such open space shall be included in any platting activity for that specific area. The applicant shall be permitted to encroach into that open space for the purpose of providing a cut bank not to exceed a ratio of 3:1 horizontal to vertical in order to avoid retaining walls where the residential development interfaces with this open space. Any disturbance areas associated with the installation of the cut bank, shall be re-vegetated by means of a mixture of grasses, shrubs, trees or cacti, which are indigenous to this site, placed in such a manner as to provide a basic ground cover which will prevent erosion and permit natural revegetation. A reasonable effort shall be made towards the salvage and re-planting of existing, native plant species. All disturbed areas shall be over-seeded with Sonoran Desert Uplands Mix or similar. All cut banks shall be chemically weathered to reduce the visual impact of the disturbance.

- k. A landscaped buffer consistent with Open Space configuration "G" as shown on Sheet 5 of the site plan referenced in stipulation 'a', shall be adjacent to the residential properties located adjacent to the northwest corner of the site.
- l. No development (disturbance) shall occur within any portion of the property that contains slopes of 15% or greater – except for roadways and driveways. This limitation shall not apply to roadways that serve the property; however, such roadways, if located within hillside slopes, shall observe the Hillside Development Standards of the Maricopa County Zoning Ordinance.
- m. All improvement plans for any portion of the site that contains natural area open space shall include a note indicating that these areas will be roped-off during construction and that no disturbance to these areas is to occur. These areas shall be roped off using a ¼-inch diameter yellow nylon rope suspended from metal T-posts, and shall remain intact throughout the construction process. No construction vehicles will be allowed to enter these areas. Any inadvertent disturbance that occurs within this area shall be restored to its original natural condition at the contractor or developer's expense.
- n. All turf areas contained within the open space element of the project area shall be limited to non-invasive grass species. The CC&Rs shall also limit private turf areas to non-invasive grass species.
- o. Prior to zoning clearance, the property owner shall provide the following rights-of-way dedications and improvements:
  - i. Dedicate a half-width right-of-way of 40 feet for the south half of the Circle Mountain Road alignment, adjacent to the site.
  - ii. Dedicate additional right-of-way along the I-17 Frontage Road to bring the total full-width of the frontage road to 110 feet adjacent to the site.
  - iii. A precise plan is required. A Traffic Impact Study will be required prior to precise plan approval.
  - iv. At the time of precise plan, assurances will be provided for provision of the future half-width improvements along the Circle Mountain Road right-of-way adjacent to the site. The extent of the improvements shall be determined during Precise Plan review and shall be constructed to minimum County standards.
  - v. At the time of precise plan, assurances will be provided for provision of future right-of-way improvements along the I-17 Frontage Road adjacent to the site. The extent of the improvements shall be determined during Precise Plan review and shall be constructed to minimum County standards.
- p. All interior streets within the proposed development are to be constructed to minimum County standards.
- q. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation for landscaping or other improvements in the right-of-way.

- r. Prior to the expiration of conditional zoning or prior to the approval of the first preliminary plat (which ever comes first), the applicant shall receive approval from Maricopa County Environmental Services for on-site and off-site water and sewer master plans.
- s. Prior to approval of any preliminary plat for the proposed development, a preliminary drainage report/plan must be submitted to the Flood Control District for review and approval. The drainage report/plan must document off-site and on-site flows and the sizing of drainage tracts and retention areas.
- t. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- u. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment shall be painted to complement the development and shall be screened with native landscape material where possible. All H.V.A.C. units shall be ground-mounted.
- v. Prior to the approval of any Specific Development Plans within the project area, the applicant shall survey the entire subject property for cultural resources and submit the survey to the State Historic Preservation Office for review and comment prior to final plat approval for any plat within the Arroyo Vista project area. If required by the State Historic Preservation Office, an archeological survey shall be submitted to and approved by the Arizona State Historic Preservation Office prior to issuance of a Grading Permit or approval of a Final Plat. The applicant must contact the state office prior to initiating disturbance of the site. The applicant shall provide the Planning and Development Department with written proof of compliance with this stipulation.
- w. The applicant shall comply with all applicable federal, state and local laws regarding endangered species habitat loss mitigation.
- x. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department/district.
- y. Major changes to this PAD General Development Plan (the site plan and narrative report), shall be processed in the same manner as the original application, as outlined in Article 1001.4.5 of the Maricopa County Zoning Ordinance.
- z. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- aa. Development of Parcel 10 shall be in conformance with the zoning exhibit addendum entitled 'Exhibit B', presented to the Planning and Zoning Commission on August 13, 2003, stamped by the Landscape Architect June 25, 2003, and stamped received June 25, 2003.
- bb. The average lot area per dwelling unit figures shall be as stated on sheet 6 of 6 of the exhibit entitled, "Arroyo Vista", consisting of one (1) full-size sheet, prepared by Nash and

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Associates, Inc., dated revised March 7, 2003, stamped by the registered land surveyor March 11, 2003, and stamped received April 22, 2005.

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to concur with the recommendation from the Planning Commission for approval with stipulations "a" through "bb" as given above.

- 2. S2004-027 District 4**  
**Applicant:** Mike Malais on behalf of Lone Mountain 120 LLC  
**Location:** Northeast corner of 175th Avenue and Bethany Home Road (in the west Glendale area)  
**Request:** Final Plat in the Rural-43 zoning district for Tara Estates (Approx. 28.8 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve this final plat.

- 3. S2004-052 District 3**  
**Applicant:** Stanley Consultants, Inc. on behalf of Anthem Arizona, L.L.C.  
**Location:** Northeast of Club Pointe Drive (in the Anthem area)  
**Request:** Final Plat in the R1-7 RUPD, R1-10 RUPD, and Rural-43 zoning districts for Anthem Unit 44 (Approx. 42.85 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve this final plat.

- 4. S2004-073 District 3**  
**Applicant:** Stanley Consultants, Inc. on behalf of Anthem Arizona, L.L.C.  
**Location:** South of Anthem Way and west of Liberty Bell Way (in the Anthem area)  
**Request:** Final Plat in the R1-6 RUPD zoning district for Anthem Unit 91 (Approx. 22.88 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve this final plat.

- 5. S2005-033 District 1**  
**Applicant:** D & M Engineering on behalf of Ralph & Joe Brekan  
**Location:** West side of 172nd Street, north of Hunt Highway (in the Chandler Heights area)  
**Request:** Amended Final Plat in the R-4 zoning district for Brekanwood Estates (Approx. 47.8 acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve this final plat as amended.

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

\_\_\_\_\_  
Max W. Wilson, Chairman of the Board

ATTEST:

\_\_\_\_\_  
Fran McCarroll, Clerk of the Board